

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA §
§
v. § CRIMINAL ACTION NO. 4:22-CR-23-
§ ALM-CAN
MORRIS LEDELL CARR (1) §

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant Morris Ledell Carr's ("Defendant") supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on February 25, 2022, to determine whether Defendant violated his supervised release. Defendant was represented by Mike Pannitto of the Federal Public Defender's Office. The Government was represented by Assistant United States Attorney Lesley Brooks.

Defendant was sentenced on July 10, 1998, before The Honorable Larry J. McKinney of the Southern District of Indiana after pleading guilty to the offense of Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine and Cocaine Base, a Class A felony. This offense carried a statutory maximum imprisonment term of Life. The guideline imprisonment range, based on a total offense level of 40 and a criminal history category of IV, was 360 months to Life. Defendant was subsequently sentenced to 300 months imprisonment followed by a 5-year term of supervised release subject to the standard conditions of release, plus special conditions to include financial disclosure, credit restriction, alcohol treatment, search, gang prohibition, a \$100 special assessment, and a \$7,500 fine. On April 9, 2019, Defendant completed his period of imprisonment and began service of the supervision term in the Southern District of Indiana. On October 27, 2020, the defendant was arrested in the Eastern District of Texas for a drug trafficking offense. He

pleaded guilty to Conspiracy to Possess with the Intent to Distribute Cocaine on June 27, 2021 and has been sentenced to 120 months imprisonment followed by a 5-year term of supervised release in EDTX Case Number 4:20CR339-001. On December 22, 2021, jurisdiction of the instant case was transferred from the Southern District of Indiana to the Eastern District of Texas, and the case was assigned to U.S. District Judge Amos L. Mazzant, III.

On December 16, 2021, the United States Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 2, Sealed]. The Petition asserts that Defendant violated one (1) condition of supervision, as follows: (1) The defendant shall not commit another federal, state, or local crime [Dkt. 2 at 1, Sealed]. The Petition specifically alleges that Defendant committed the following acts: (1) Defendant has been charged with Conspiracy to Possess With Intent to Distribute Cocaine and Conspiracy to Commit Money Laundering in the Eastern District of Texas in cause number 4:20CR00339-001. He currently remains in custody in the Eastern District of Texas awaiting disposition of this case [Dkt. 2 at 1, Sealed].

Prior to the Government putting on its case, Defendant entered a plea of true to allegation 1 of the Petition. Having considered the Petition and the plea of true to allegation 1, the Court finds that Defendant did violate his conditions of supervised release. Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this Court [Dkts. 12; 13].

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for an additional term of imprisonment of thirty-nine (39) months, to be served

consecutively to any term imposed in EDTX Case Number 4:20CR339-001, with no term of supervised release to follow in the instant cause.

The Court also recommends that Defendant be housed in the Bureau of Prisons facility in the North Texas area, if appropriate.

SIGNED this 21st day of March, 2022.



Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE